



Atty. Dkt. No. 070538-0115

*Drw*  
*[Signature]*

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Cindy ORSER et al.  
  
Title: DETECTION OF  
CONFORMATIONALLY  
ALTERED PROTEINS AND  
PRIONS  
  
Appl. No.: 10/728246  
  
Filing Date: 12/04/2003  
  
Examiner: Keri A Moss  
  
Art Unit: 1743  
  
Confirmation 8108  
Number:

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. Also submitted are copies of Office Actions issued in parent and co-pending applications.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or

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otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

#### **TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(c), before the mailing date of either a final action under 37 CFR §1.113, a notice of allowance under 37 CFR §1.311, or an action that otherwise closes prosecution in the application.

#### **RELEVANCE OF EACH DOCUMENT**

Some of the documents submitted herewith were cited in parent or co-pending U.S. applications, as indicated in the Office Actions submitted herewith.

Hachiya et al. was recently cited in co-pending PCT application PCT/US06/05095.

An English translation of JP 2004-155688 is submitted herewith.

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

#### **FEE**

A credit card payment form in the amount of \$180.00 is enclosed in accordance with 37 CFR §1.17(p) to cover the fee associated with an information disclosure statement under 37 CFR §1.97(c) in the amount of \$180.00.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date July 13, 2007

FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (202) 295-4094  
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By Courtenay C Brinckerhoff

Courtenay C. Brinckerhoff  
Attorney for Applicant  
Registration No. 37,288

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Substitute for form 1449/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  Date Submitted: July 13, 2007 <i>(use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	10/728246
				Filing Date	12/4/2003
				First Named Inventor	Cindy Orser
				Art Unit	1743
				Examiner Name	Keri A Moss
				Attorney Docket Number	070538-0115

O I P E  
 JUL 13 2007  
 PATENT & TRADEMARK OFFICE

### U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		4,444,879	04-24-1984	Foster et al.	
		5,773,572	06-30-1998	Fishleigh et al.	
		5,977,324	11-02-1999	Prusiner et al.	
		6,498,017 B2	12-24-2002	Reisner et al.	
		6,534,036 B1	03-18-2003	Collinge et al.	
		6,677,125 B2	01-13-2004	Prusiner et al.	
		7,166,471 B2	01-23-2007	Orser et al.	
		2004/0052928 A1	03-18-2004	Gazit	
		2004/0224365 A1	11-11-2004	Glabe et al.	
		2004/0229280 A1	11-18-2004	Hammond et al.	
		2005/0112607 A1	05-26-2005	Bamdad et al.	
		2005/0118645 A1	06-02-2005	Michelitsch et al.	
		2005/0221404 A1	10-06-2005	Lane et al.	
		2006/0035242 A1	02-16-2006	Michelitsch et al.	
		2006/0057636 A1	03-16-2006	Heegaard et al.	
		2006/0057636 A1	03-16-2006	Heegaard et al.	
		2006/0078892 A1	04-13-2006	Hammond et al.	
		2006/0178302 A1	08-10-2006	Krafft et al.	
		2006/0235199 A1	10-19-2006	Mihara et al.	

### FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Documents	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
		WO 01/07479	02-01-2001	Imperial College Innovations Limited		
		WO 01/77687 A2	10-18-2001	V.I. Technologies, Inc.		
		CA 2 443 929 A1	10-24-2002	Everett et al.		
		JP 2004-155688 A	60-03-2004	KK Biofrontier Research Laboratory		

Examiner  
Signature

Date  
Considered

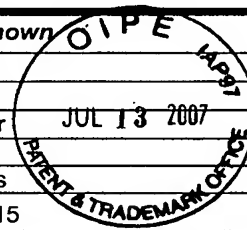
\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449/PTO		<b>Complete if Known</b>	
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		<b>Art Unit</b>	1743
		<b>Examiner Name</b>	Keri A Moss
		<b>Attorney Docket Number</b>	070538-0115

Sheet 2 of 2



NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and-or country where published.	T <sup>6</sup>
		Copy of Office Action dated 09-08-2004, issued by the Examiner in Application No. 10/161,061, now U.S. Patent No. 7,166,471 (5 pgs.).	
		Copy of Office Action dated 02-23-2005, issued by the Examiner in Application No. 10/161,061, now U.S. Patent No. 7,166,471 (7 pgs.).	
		Copy of Office Action dated 06-15-2005, issued by the Examiner in Application No. 10/161,061, now U.S. Patent No. 7,166,471 (5 pgs.).	
		Copy of Office Action dated 09-27-2005, issued by the Examiner in Application No. 10/161,061, now U.S. Patent No. 7,166,471 (8 pgs.).	
		Copy of Office Action dated 01-17-2006, issued by the Examiner in Application No. 10/161,061, now U.S. Patent No. 7,166,471 (8 pgs.).	
		Copy of Office Action dated 04-13-2007, issued by the Examiner in Application No. 11/030,300 (14 pgs.).	
		Hachiya et al., Biochemical and Biophysical Research Communications, 323:339-344 (2004), © Elsevier, Inc.	
		Tcherkasskaya et al. J. of Biomolecular Structure & Dynamics 21(3):353-365 (2003) ©Adenine Press.	

Examiner Signature	Date Considered
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